

MEMORANDUM

Doc. # 5455 4

ADOPTED
DECEMBER 19, 1991

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR NEIGHBORHOOD
HOUSING AND DEVELOPMENT
HOMER RUSSELL, ASSISTANT DIRECTOR FOR URBAN DESIGN
AND DEVELOPMENT
TING-FUN YEH, DIRECTOR OF PLANNING - CHINATOWN
RALPH CAHILL, ASSISTANT GENERAL COUNSEL

SUBJECT: SOUTH COVE URBAN RENEWAL AREA MASS R-92
ORDER OF TAKING FOR PARCELS R3B

SUMMARY: THIS MEMORANDUM REQUESTS APPROVAL FOR AN ORDER OF
TAKING FOR PARCEL R3B TO CURE DEFECTS IN
THE CHAIN OF TITLE AND ASSEMBLE THE PARCEL FOR
CONVEYANCE.

On this date, under separate memorandum, the Boston Redevelopment Authority granted Final Designation of Parcels R3B, located at the corner of Oak and Washington Streets and containing 38,411 square feet of land in the South Cove Urban Renewal Area, to the Asian Community Development Corporation, for 88 units of rental housing, over two-thirds of which will be affordable.

The parcel is made up of several parcels, owned by the Authority, and one parcel, Pine Street, owned by the City of Boston, which is to be discontinued and relocated to property owned by the BRA. In order to expedite the conveyance of the parcel, the City has consented to the Taking in exchange for BRA property to be used for relocated Pine Street.

Therefore, it is appropriate at this time that a perimeter Order of Taking be made to cure any defects in title and assemble the parcels into one lot.

An appropriate vote follows:

VOTED: that the Boston Redevelopment Authority adopt and execute an Order of Taking for Parcel R3B, located at the corner of Oak and Washington Streets, containing 38,411 square feet, respectively, of land in the South Cove Urban Renewal Area.

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ADOPTED
12/19/91

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated *December 19, 1991* relating to a portion of the SOUTH COVE URBAN RENEWAL AREA, MASS. R-92, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Clarence J. Jones
Michael F. Donlan
Francis X. O'Brien

James K. Flaherty
Consuelo Gonzales Thornell

A true copy

ATTEST:

Karee Pinnman
Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking, dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto, and upon recording of a Discontinuance of Pine Street by the Public Improvements Commission said rights of way which are reserved hereby will be extinguished.

AND FURTHER ORDERED that in accordance with the provisions of the said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED:

BOSTON REDEVELOPMENT AUTHORITY

BY:

Edmund J. Jones

Michael J. Deane

Thomas J. Deane

James R. Deane

William J. Deane

ATTEST:

Klaus J. Jurek

Secretary of the Boston Redevelopment Authority

Approved as to form:

Ralph F. Cahill

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is the only parcel taken by this Order of Taking:

A certain parcel of land situated on the easterly side of Washington Street, in the City of Boston, in the County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the southeasterly corner of Oak Street and Washington Street, at the most northwesterly corner of the granted premises;

thence S78°-57'-50"E along the Southerly line of Oak Street a distance of one hundred ninety-five and eighty-six hundredths (195.86') feet to a point in the southwesterly corner of Oak Street and Maple Place;

thence S10°-57'-28"W along the westerly line of Maple Place a distance of one hundred sixty and forty-five hundredths (160.45') feet to a point in the northerly line of Pine Street;

thence N52°-37'-29"W a distance of sixteen and seventy-eight hundredths (16.78') feet to a point;

thence S15°-25'-00"W a distance of twelve and eighty-six hundredths (12.86') feet to a point;

thence S09°-00'-00"W a distance of thirty-three and forty-seven hundredths (33.47') feet to a point;

thence N78°-43'-15"W a distance of one hundred eighty-two and nine hundredths feet (182.09') feet to a point in the Easterly line of Washington Street; the previous four (4) courses being along the Northerly line of Pine Street;

thence N11°-16'-45"E along the easterly line of Washington Street a distance of one hundred ninety-eight and fifty hundredths (198.50') feet to the point of beginning.

The above-described parcel of land contains an area of 38,411 square feet, more or less, and is more particularly shown as Parcel R3B on a plan entitled, "Boston Redevelopment Authority South Cove Urban Renewal Area Project No. Mass. R-92 Boston - Suffolk County - Massachusetts DELIVERY PARCEL PLAN PARCELS R3A1, R3A2 & R3B; Sacale: 16 feet to an inch, dated November 7, 1991".

A portion of the above-described parcel of land is shown as Lot 1 on a subdivision plan No. 4983-C, drawn by Charles T. Main., Inc., Surveyor for the Land Court, dated April 25, 1968. (Transfer Certificate of Title 77994).

The Supposed Owner of the above parcel is the City of Boston and/or the Boston Redevelopment Authority and any and all persons containing any and all rights therein.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

An award of One (\$1.00) Dollar and other valuable consideration is made with this Order of Taking.